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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

## **ORDER RE DISCOVERY DISPUTE RE PLAINTIFF'S RESPONSES TO INTERROGATORIES**

15       Currently pending before the Court is a discovery dispute in which Defendant the CPUC  
16 asks the Court to compel Plaintiff Donna Hines to respond to interrogatories to which the Court has  
17 already ordered her to respond. Having considered the parties' submissions, the Court hereby  
18 **GRANTS** the motion to compel.

19        Previously, the Court issued an order requiring Ms. Hines to respond to interrogatories in  
20 which the CPUC asked her to state the facts supporting her contention that (1) she suffered  
21 discriminatory and retaliatory treatment; (2) the CPUC’s Human Resources Department can and has  
22 altered examination results to favor management’s preferred candidates; and (3) she suffered  
23 emotional distress as a result of the CPUC’s actions. *See* Docket No. 298 (order, filed on  
24 3/19/2010). In her responses, Ms. Hines did not provide any narrative but instead simply referred to  
25 unspecified facts contained in a broad swathe of documents. This is patently insufficient. While  
26 Federal Rule of Civil Procedure 33(d) allows a party to refer to documents in responding to an  
27 interrogatory, that is only where “the burden of deriving or ascertaining the answer will be  
28 substantially the same for either party.” Fed. R. Civ. P. 33(d). Ms. Hines has made no

1 demonstration that that is the case here. Moreover, Rule 33(d) only allows for such an approach  
2 where the relevant documents are specified “in sufficient detail to enable the interrogating party to  
3 locate and identify them as readily as the responding party could.” *Id.* Ms. Hines’s broad reference  
4 to pleadings, attachments, appendices, and requests for judicial notice is insufficient.

5 Accordingly, the Court orders Ms. Hines to provide a complete and full response to the  
6 interrogatories at issue within a week of the date of this order.

7 IT IS SO ORDERED.

8 Dated: May 3, 2010

  
10 EDWARD M. CHEN  
11 United States Magistrate Judge  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DONNA HINES,  
Plaintiff,

No. C-07-4145 CW (EMC)

v.

CALIFORNIA PUBLIC UTILITIES  
COMMISSION, *et al.*,  
Defendants.

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the U.S. District Court, Northern District of California. On the below date, I served a true and correct copy of the attached, by placing said copy/copies in a postage-paid envelope addressed to the person(s) listed below, by depositing said envelope in the U.S. Mail; or by placing said copy/copies into an inter-office delivery receptacle located in the Office of the Clerk.

Donna Hines  
268 Bush Street, #3204  
San Francisco, CA 94104  
415-205-3377

Dated: May 3, 2010

RICHARD W. WIEKING, CLERK

By:

  
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Betty Lee  
Deputy Clerk